

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Teachers4Action et al,	X		
	:		Civil Action #
v.	:		08-cv-548 (VM)(AJP)
	:		
	:		
Bloomberg et al,	:		
	:		
	X		

**JOINT DECLARATION OF TEACHERS4ACTION EXECUTIVE COMMITTEE
IN SUPPORT OF MOTION FOR FOLLOWING MISCELLANEOUS RELIEF (i)
ORDER RELIEVING ED FAGAN AS COUNSEL FOR CERTAIN PLAINTIFFS /
FORMER TEACHERS4ACTION MEMBERS, (ii) ORDER GRANTING
CHARGING LIEN PURSUANT TO NY JUDICIARY LAW § 475, (iii) ORDER
PURSUANT TO FRCP 42 (b) SEVERING FORMER TEACHERS4ACTION
MEMBER CLAIMS AND (iv) FOR OTHER RELIEF**

Plaintiff Teachers4Action by its Executive Committee Members, hereby declares
and says, as follows:

1. Teachers4Action is a not for profit membership corporation in the State of New York.
2. Marie Addoo and Karen Ornstein joined Teachers4Action in or about January/February 2008.
3. At the time they joined Teachers4Action, Marie Addoo and Karen Ornstein sought to benefit from among other things:
 - a. actions being taken by Teachers4Action itself and on behalf of its members in US Federal Courts;
 - b. actions being taken by Teachers4Action itself and on behalf of its members in NY State Courts; and

- c. actions being taken by Teachers4Action itself and on behalf of its members in or in relation to 3020-a administrative / disciplinary hearings.
- 4. As part of their obligations of ongoing membership in Teachers4Action, Marie Addoo and Karen Ornstein committed to among other things:
 - a. cooperate with Teachers4Action and its counsel;
 - b. maintain confidentiality related to Teachers4Action strategies, litigation and activities; and
 - c. refrain from taking and/or engaging in any actions that were detrimental to Teachers4Action, other Teachers4Action members or their collective or individual claims, Teachers4Action overall goals and purposes.
- 5. Starting on or about mid-May 2008, Marie Addoo and Karen Ornstein breached their obligations to Teachers4Action and its counsel, by failing to cooperate, breaching confidentiality and taking or engaging in other actions detrimental to Teachers4Action, other members and/or its counsel.
- 6. In particular, Marie Addoo and Karen Ornstein, without prior notification to and/or consent of the Teachers4Action Executive Committee or its counsel, agreed to meet with UFT Representative and Individual Defendant Betsy Combier (“Combier”) , who Teachers4Action has learned was sent by Defendant United Federation of Teachers (“UFT”) with the knowledge, assistance and support of Defendant Department of Education (“DOE”) into the Queens “Rubber Room” to,

among other things, further harass Teachers4Action members, interfere with Teachers4Action claims and intimidate Teachers4Action members.¹

7. Prior to the filing of this Motion, Teachers4Action, its Executive Committee and counsel sought, to no avail, to avoid the necessity of this application.
8. Prior to the filing of this Motion, Marie Addoo and Karen Ornstein refused to honor their membership and contractual obligations to Teachers4Action and counsel.
9. As a result of their refusal to honor their aforesaid obligations, Teachers4Action Executive Committee unanimously terminated the membership of Marie Addoo and Karen Ornstein.
10. From January / February 2008, Teachers4Action and its counsel have expended and/or incurred significant out of pocket expenses and provided legal and other services, for which Marie Addoo and Karen Ornstein are obligated to but for which they have yet to pay.
11. In view of the foregoing, Teachers4Action prays the Court grant the relief sought in this motion.

DECLARATION PURSUANT TO 28 USC § 1746

I hereby declare, under penalty of perjury, that the foregoing statements are true to the best of my knowledge, information and belief.

Dated: May 29, 2008



Florian Lewenstein
President Teachers4Action & Plaintiff

¹ These actions by Defendants DOE, UFT and Combier will be the subject of separate applications for relief.

Dated: May 29, 2008



Mauricio Zapata
Vice President Teachers4Action & Plaintiff

Dated: May 29, 2008



Michael McLoughlin
Treasurer Teachers4Action & Plaintiff

Dated: May 29, 2008



Michael Hollander
Secretary Teachers4Action & Plaintiff

Dated: May 29, 2008



Linda Siefert
Director Teachers4Action & Plaintiff

Dated: May 29, 2008



Jonathan Berlyne
Director Teachers4Action & Plaintiff